

**SUMTER COUNTY BOARD OF COMMISSIONERS
EXECUTIVE SUMMARY**

SUBJECT: *R2009-0027 - Rezoning to CL (Light Commercial) - Lisa Pannell & James Lopez -
US 301/Wildwood

REQUESTED ACTION: **Approve rezoning R2009-0007**

☐ Work Session (Report Only)

DATE OF MEETING: 2/9/2010

☒ Regular Meeting

☐ Special Meeting

CONTRACT: ☒ N/A

Vendor/Entity: _____

Effective Date: _____

Termination Date: _____

Managing Division / Dept: _____

Planning

BUDGET IMPACT: _____

☐ Annual

FUNDING SOURCE: _____

☐ Capital

EXPENDITURE ACCOUNT: _____

☒ N/A

HISTORY/FACTS/ISSUES:

The applicant is requesting a rezoning on 1.98 acres MOL from RR to CL (Light Commercial)

The Zoning & Adjustment Board held a public hearing on February 1, 2010, and recommended approval (11-0)

ZAB cases:

1) Lisa Pannell & James Lopez - SS2009-0007

2) Lisa Pannell & James Lopez - R2009-0027*****

3) Sumter LLC - R2009-0019

SUMTER COUNTY ZONING AND ADJUSTMENT BOARD

February 1, 2010

BOARD OF SUMTER COUNTY COMMISSIONERS

February 9, 2010

CASE NO.	R2009-0027
APPLICANT:	Lisa Caye Pannell & James Lopez
REPRESENTATIVE:	N/A
REQUESTED ACTION:	Rezone 1.98 acres MOL from RR to CL (Light Commercial).
EXISTING ZONING:	RR
FUTURE LAND USE:	Commercial (Pending SS2009-0007)
EXISTING USE:	Residence
PARCEL SIZE:	1.98 acres MOL
GENERAL LOCATION:	Oxford
<u>SURROUNDING LAND USE:</u>	<u>SURROUNDING ZONING:</u>
NORTH: Rural Residential	NORTH: RR = residence
SOUTH: Rural Residential	SOUTH: C2 & RR = mobile home & vacant
EAST: City of Wildwood	EAST: City of Wildwood
WEST: Rural Residential	WEST: A5 = residence & vacant
COMMISSIONER'S DISTRICT:	Don Burgess

CASE SUMMARY:

The subject property is located on US 301 approximately 1/10 mile north of CR 124 on the west side of the road, in the unincorporated Oxford area of Sumter County.

The subject property is approximately 1.98 acres with a width of approximately 210 feet and depth of approximately 420 feet.

CASE ANALYSIS:

The general character of the area surrounding and within the local vicinity of the subject property is commercial and residential.

The parcel is approximately 1.98 acres MOL.

The property is located in an area of the county where there is a growing commercial presence.

DIVISION OF PLANNING & DEVELOPMENT STAFF CONCLUSIONS:

Staff deems the application sufficient and in compliance with the minimum requirements of the Sumter County Land Development Code and Comprehensive Plan and recommends approval.

Notices Sent: 5 (In objection) 0 (In favor) 0

Zoning & Adjustment Board Recommendation: Approval (11-0)



SUMTER COUNTY ZONING AND ADJUSTMENT BOARD

910 N. Main Street, Suite 301, Bushnell, FL 33513
Tel. (352) 793-0270 Fax (352) 793-0274

Project No: **R2009-0027**

Application: 12/2/2009 SG

Parent Project: **SS2009-0007**

REZONING

PROJECT TYPE REZONING		PROJECT SUBTYPE Commercial		PROJECT DESCRIPTION REZONING ON 1.98 ACRES MOL FROM RR TO CL	
OWNER PANNELL / LOPEZ, LISA CAYE / JAMES B		ADDRESS 9404 N US HIGHWAY 301, WILDWOOD, FL 34785		PHONE 352-748-5512	
PARCEL # D30=019	SEC/TWP/RNG 301823	GENERAL Oxford	DIRECTIONS TO PROPERTY N ON US 301. THE PROPERTY IS LOCATED APPROX 1/10 MILE N OF CR 124 ON THE W SIDE OF THE ROAD.		
Property Address 9404 N US 301, Wildwood, FL 34785					
PARCEL SIZE 1.98 ACRES MOL		F.L.U. RUR	LEGAL DESCRIPTION BEG 50 FT W & 420 FT S OF NE COR OF SE1/4 FOR POB RUN W 420 FT S 210 FT E 420 FT N 210 FT TO BEG LESS HWY 301 R/W		
PRESENT ZONING RR		PRESENT USE RESIDENCE			
REQUESTED REZONING REZONE 1.98 ACRES MOL FROM RR TO CL TO BRING INTO COMPLIANCE WITH THE FLUM		REZONED ACREAGE 1.98 ACRES MOL		REZONED LEGAL DESCRIPTION SAME AS ABOVE	
ABUTTING PROPERTY ZONING/USE F.L.U.	NORTH RR - RESIDENCE RURAL RESIDENTIAL	EAST CITY OF WILDWOOD CITY OF WILDWOOD	SOUTH RR & C2 - VACANT & MOBI RURAL RESIDENTIAL	WEST A5 - RESIDENCE & VACANT RURAL RESIDENTIAL	
As owner/agent, I agree to post the hearing plaques within 24 hours on the property's road frontage at the corners and at 300' intervals between. I understand any action on my application will be governed by Sumter County's Comprehensive Plan and Development Code, and my payment of the non-refundable application fee will not influence the decision made on this application.					
UNDER PENALTIES OF PERJURY, I DECLARE THE ABOVE INFORMATION THAT I HAVE GIVEN TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.					
 _____ Signature(s)			 _____ Date December 2, 2009		
A Public Hearing before the Zoning and Adjustment Board will be held on the date indicated below in the Sumter County Courthouse, Bushnell, FL. This application will be heard at the time indicated below. Your appearance or representation at this hearing is required, and lack of same will cause your application to be disposed of according to the policy adopted by the Board of County Commissioners. The recommendation of the Zoning and Adjustment Board on this request will be presented to the Board of County Commissioners at a Public Hearing to be held at the date/time indicated below in the Sumter County Courthouse, Bushnell, FL, room number indicated below.					
Zoning and Adjustment Board		1/4/2010 6:30 PM		Room: 142 Action: <u>Colony Cottage</u>	
County Commission Meeting		1/12/2010 5:30 PM		Room: 142 Action: _____	
NOTICES SENT 5		RECEIVED IN FAVOR		RECEIVED OBJECTING	
Please Note: In preparation of the application, county zoning staff will visit the site to take photographs. This will be done in county-marked vehicles. Generally, staff will take photographs from the roadway or easement, and will not come on site unless access requires it.					

**BOARD OF SUMTER COUNTY COMMISSIONERS
PLANNING & DEVELOPMENT**

ACKNOWLEDGMENT AND ACCEPTANCE OF HAZARDS OF PROPERTY WITHIN THE 100 YEAR FLOOD ZONE

Sumter County requires flood protection measures in areas determined by scientific and engineering considerations to be within the 100 year floodplain. The degree of flood protection required and the methods used to determine the 100 year floodplain is considered reasonable for regulatory purposes. Larger floods and floods in areas not previously identified can occur on rare occasions. Flooding situations may also be increased by man-made or natural causes. Consequently compliance with the regulations imposed by Sumter County for uses within the 100 year floodplain do not imply that such uses will be entirely free from flooding or flood damage or that areas outside the identified floodplain and floodway overlay zones will not be flooded on occasion. Therefore these regulations shall not create liability on the part of Sumter County or any officer or employee thereof for any flood damages that result from reliance on these regulations or any administrative decision lawfully made hence forth.

I (we), LISA CAYE / JAMES B. PANNELL / LOPEZ, being owners of a parcel described as:
Parcel Number: D30=019 Section Township Range: 301823
Legal Description: BEG 50 FT W & 420 FT S OF NE COR OF SE1/4 FOR POB RUN W 420 FT S 210 FT E 420 FT N 210 FT TO BEG LESS HWY 301 R/W

do hereby acknowledge that Sumter County has informed me that the above described parcel is fully or partially within the 100 year flood plain area (Zone A) as delineated on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps for Sumter County, Florida having an effective date of March 15, 1982. Panel # 120296 0075B. I (we) understand and acknowledge the consequences of building structures on this type of property, including but not limited to:

- a) If within flood zone A, the finished floor area must be at least one foot above the base (100 year) flood elevation at the site. This will require certification by a registered land surveyor. Nevertheless, the possibility of higher waters exists as described in the first paragraph of this document.
- b) Cumulative changes made to nearby properties since the FEMA map was published can increase flooding on the subject property.
- c) Flooding of the access road to the property may occur. This includes not only private roads, but those within the County maintained system as well.
- d) The driveway to the home itself may be subject to flooding, thereby eliminating or making access to the home difficult.
- e) The potential lack of access to the home can hinder emergency vehicles in reaching the property.
- f) Damage or malfunctioning of a septic tank can occur if flood water stands on site for a period of time.
- g) Contamination of the potable water supply can occur if flood water stands on site for a period of time.

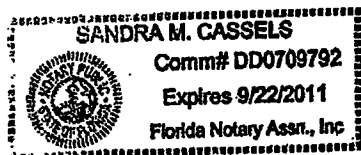
I (we) understand and accept the consequences of establishing a structure within the 100 year flood plain.

Lisa Pannell

SIGNATURE OF AFFIANT(S)

James B. Lopez

COUNTY OF Sumter STATE OF Florida THE FOREGOING WAS ACKNOWLEDGED
BEFORE ME THIS 2nd DAY OF December, 2009 WHO IS PERSONALLY KNOWN
TO ME ☐ OR HAS PRODUCED AS IDENTIFICATION Florida Drivers License



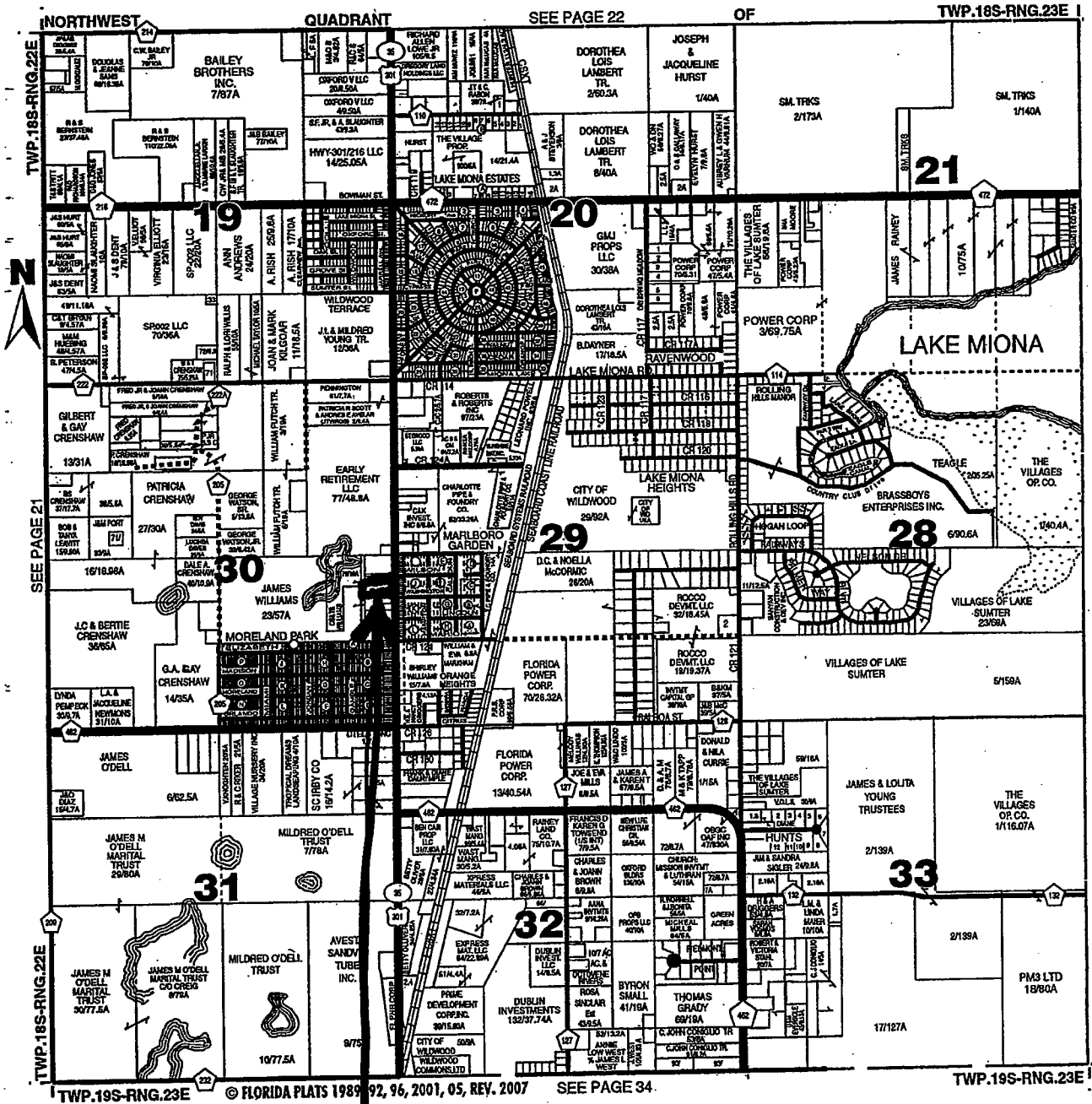
Sandra M. Cassels

SUMTER COUNTY, FLORIDA
CLORIA HAYWARD, CLERK OF CIRCUIT COURT
12/02/2009 12:06:28PM
AGREEMENT
2009 32878
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B-2139 P-170

TWP.18S-RN 23E

SOUTHWEST QUADRANT
SUMTER COUNTY, FLORIDA

SCALE OF MILES 1/2
660 1320 1980 2640 SCALE OF FEET 5280



SS2009-0007 & R2009-0027
Pannell, Lisa Caye & Lopez, James B.
Sec. 30, Twp. 18S, Rng. 23E

